

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA OF  
EASTERN DIVISION

MARIO JIMINEZ, #244571,	)	
	)	
Petitioner,	)	
v.	)	CASE NO. 3:07-cv-187-MEF
	)	
HARVEY GRIMMER, <i>et al.</i> ,	)	
	)	
Respondents.	)	

**ORDER**

On April 11, 2007, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is the

ORDER, JUDGMENT and DECREE that:

1. The Recommendation of the Magistrate Judge is ADOPTED.
2. The petitioner's motion to dismiss is GRANTED and this case is DISMISSED without prejudice.

DONE this the 30th day of April, 2007.

/s/ Mark E. Fuller  
CHIEF UNITED STATES DISTRICT JUDGE